

1885-039 Chancery Causes: Adm'r of Dewitt C. Parrott vs. Madison Sims
Lee Co.

CA-Debt

T-Property

African Americans

-Deed

To the Hon. John A. Kelly Judge of the Circuit
Court of Lee County Virginia:

Your Orator Alpha Perrott ^{the will annexed} Son with ^{of}
David C. Perrott Clerk, humbly complaining respectively
shows the unto your Honor that on the 20th day of Sept
1884 she obtained before George Halliday a Justice of the
peace for said county of Lee, then several judgments at
law, against one Madison Sims (called) amounting in
principal exclusive of interest and cost to the sum of
\$225.00 and these several judgments are herewith filed
as parts of this bill marked A, B, & C. By the first of which
your Orator recovered against said Madison Sims \$100.00
with legal interest thereon from the 15 day of January 1884
till paid, and the cost amounting to \$1.00, by the second she
recovered the like sum of \$100.00 with legal interest thereon
from the first day of May 1884 till paid and \$1.00 cost, and
by the third she recovered the sum of \$25.00 with legal interest
thereon from the 2nd day of May 1884 till paid and \$1.00 cost.

Your Orator states that executions were issued by said
Justice ⁱⁿ said three judgments, and placed in the hands of one
Andrew Edmonson a Constable of said county to be served
and collected according to law, but said constable has not
collected them, and has returned ^{them} to the Clerk's office of Lee
County. "No property found" Since said judgments & executions
have been so returned the clerk of said court has entered
them upon the Justice Execution Book and has also docketed
the same in the general lien docket and for these
services he is entitled to \$1.55 which becomes a charge against
the said Madison Sims as parts of the costs.

Your Gratrix states that the whole of said three judgments principal interest and all costs herein referred to are now due and owing to her from said Madison Sims, and fears them of having ever been paid by him.

Your Gratrix now states that by deed dated the 5 day of Augt 1881. and duly recorded in the Clerk's office of Lee County South a copy of which is herewith filed marked (D) one William Sims conveyed to said Madison Sims, four several tracts or parcels of land lying and being in said county of Lee some 7 or 8 miles west of Jonesville, one of which, and by far the most valuable is that referred to in said exhibit (D) as containing 100 acres and is the one on which said William and Madison Sims now live. But the said William Sims by his said deed of conveyance to said Madison expressly reserved to himself the rents and profits of said land and the use and occupation thereof during his natural life. And this being the fact the said Madison Sims is now invested with the naked title only to said lands, and is entitled to the reversion or remainder at the death of the said William Sims. Your Gratrix states that the said William Sims is now an old and frail man, and she is advised that the said Madison Sims and holds a vested right in said land and a prospective estate of inheritance therein and that as such her said three judgments operate as liens thereon, and since there are no rents and profits which can be applied to the payment thereof a court of equity will enforce the lien of her said judgments by decreeing so much of said land to be sold, subject to said life estate, as will be sufficient to pay said three judgments and to obtain that relief is the object of this bill.

Your Orator therefore prays that the said Madison Sims
be made defendant to this bill and be required to answer
the same fully on oath, and upon a hearing of the cause
the lien of said judgments be enforced by decreeing some
of said lands to be sold as will pay said three judgments
interest & cost and the costs of this suit and should your
Orator be in any wise mistaken in this her special
prayer then she prays for all general relief. May the
Commonwealths Court of Sp^a issue directed.

Henry J. Morgan for P^{et}

C - - - \$4.77 to m.
 S - - - 50
 Co L - - - 85
 W - - - 15.00
 Estimate 3.50
 24.62

Alpha Parrot *(H. J. M.)*

co. } Bill to Eng. Just. Sim

Madison Sims

- 1885. Jan. Bill Filed
- " Feb. Sp. Ex. & D. Ch.
- " Mr. D. W. Conf. & Cauds
set for hearing
- " Mr. Term Decree & Contd.
- " Aug. Decree final

Alpha Parrott adm't + Peff	} In Chy
vs.	
Madison Sims	Deft.
Wright Stickley	Peff
vs.	} In Chy.
Madison Sims	

These causes came on this day to be finally heard together on the papers heretofore read in the causes, and the report of Special Commissioner Morgan filed in the first cause dated May 25 filed in the causes May 29 1885 was argued by counsel. And it appearing from said report that the judgments at law, due the plaintiffs respectively and the costs of suit, had been settled and adjusted by the defendants with the said plaintiffs in the manner shown by said report, which is unaccepted to. On consideration of all which it is adjudged ordered & decreed that said report be confirmed and the parties hence dismissed, & the causes stricken from the docket.

Alfreda Parrott admist
Wright Stickney

as $\frac{1}{3}$ Decm No 2 final

Madison Sims

Entered Page 456
J. R. Gibson, Clk.

Enter this
Aug. 26 / 85
J. R. K.

Alpha Pennatt admoꝛ. Peff
vs. } Geo. Lely
Madison Sims (colored) Deft.

This cause came on this day to be heard on the bill of the Peff and exhibits therewith taken for confessed by the defendant and was argued by counsel: On consideration of all which it appears to the court that the three judgments at law in the bill mentioned, are liens on the four tracts of land in the bill mentioned, & that there are no rents and profits that can be applied in discharge of the same on account of the life estate of Mr. Sims on said four tracts of land.

It is therefore adjudged ordered and decreed that the plaintiff recover against the defendant \$229.50. with legal interest on \$100. part thereof from the 18th day of Jan 1884. & the like interest on \$100. another part thereof from the 1st day of May 1884. & the like interest on \$25.00 from the 2 day of May 1884 till paid and the costs of this suit, and unless this decree is paid to the plaintiff by the deft. within 20 days from the rising of the court, then it is further adjudged ordered & decreed that so much of said lands subject to said life estate be sold as will pay the same on a credit of 6, 12 & 18 months time with interest from day of sale, except as to costs of suit and sale which shall be paid in hand and the purchaser required to give bond & approved security for the deferred payments. said sale shall be made at public outcry to the highest bidder at the front door of the Court House on some court day after 30 days notice of the time & terms of sale shall have been posted at the Court house door, and Henry J. Nungesser is appointed a special commissioner to execute this decree who before doing so is required to execute bond before the clerk of this court in the good security in the penalty of \$500.00 with condition to faithfully to account for all money

that may come into his hands by virtue of the proceedings had or to be had in
this cause; and ~~he will report his action to the court & the cause is continued~~
against Madison Sims shall be further heard together, and the
sale ordered in this cause and the sale ordered in the said
cause of Wright Stickley against said Sims shall be made by
Commissioner Morgan as one sale only & the said court will
report his action to the court & the cause is continued

Wm. Bennett Attorney

at Decr No 1

Madison Sims

March 21 1883 - (continued)

Chas. Page 440

J. H. Willard

(2-)

Entered

March 28 / 83 -

J. A. K.

Alpha Parrott admt ^r .	Peff	} In lch
vs.		
Madison Sims	Deft	
Wright Stickley	Peff	} In lch
vs.		
Madison Sims	Deft	

To the Hon John A. Kelly Judge of the
Circuit Court of Lee County Virginia

Since the last term of this Honorable Court, and
before the defendants land was sold by your commission
the defendant Madison Sims sold and conveyed one
of the small tracts of land in the Peffs hills mentioned
to one Harvey G. Wood at a price mutually agreed
upon by them. And the said Wood thereupon executed
to the deft. his several bonds in sums suitable to pay
off and discharge the debts and judgments due the
plaintiffs respectively and the costs of suit &c. and the
lands were delivered by said Sims to the said Peffs who
accepted the same in payment of their several debts &
are he delivered to me in payment of costs &c. and
the same I have applied in payment of costs, and
in this way the objects of these suits has been attained
and the causes may be dismissed

All which is respectfully submitted

Henry J. Morgan Com^r

May 25 1885.

Alpha Parrott ~~vs~~
Wright Stickney

vs. { Com. Report

Madison Series.

Filed May 29-1885.

J. A. Hyatt
Clerk.

VIRGINIA---Lee County, to wit:

To *A Edmonson*, Constable of said County:

I Hereby Command You to Summon *Mattison Simms*
if to be found in your District, to appear at the *office* of *George Holley* in said
County, on the *20* day of *Sept* 1884, before me or such other Justice of said County as may then be
there to try this Warrant, to answer the complaint of *Alpha Parrott Admors* *creditor* *6 pms*
money not exceeding \$100.00 exclusive of interest, to wit: for the sum of \$100.00 due by *Note* and then *Dece*
and there make return of this Warrant. Given under my hand the *15* of *sept* 1884

W. H. Halliday, J. P.

Alpha Parrott Admors of D. C. Parrott Decd *20th day of September 1884*
Against *Mattison Simms* In debt
At *my office* in said County
Judgment that the Plaintiff recover of the Defendant \$100.00 with interest from the *18th day of January 1884*
till paid, and \$ *1.00* for costs.

George Holliday, J. P.

VIRGINIA--Lee County, to wit: To *A Edmonson*, Constable of said County:

I command you, in the name of the Commonwealth of Virginia, that of the Goods and Chattels of *Mattison*
Simms in your County, you cause to be made the sum of \$ *100.00* with interest thereon
from the *18th day of January 1884*, till paid, which *Alpha Parrott Admors* has
recovered before *me* in a Warrant in Debt, and also the sum of \$ *1.00* which
was adjudged to the said *Alpha Parrott* for costs in prosecuting said Warrant.

Given under my hand this the *20th day of September 1884*

George Holliday, J. P.

A. Parrott

vs

Mat Sims

Executed by

A. Edmanson

Sept 20 1884

no property

found

e V. Edmanson

(A)

VIRGINIA---Lee County, to wit:

To *A Edmonson*, Constable of said County:

I Hereby Command You to Summon *Mat Siras*
if to be found in your District, to appear at the *office* of *George Holliday* in said
County, on the *20* day of *Sept* 1884, before me or such other Justice of said County as may then be
there to try this Warrant, to answer the complaint of *Alpha Parrott Adm of D C Parrott Dec*
money not exceeding \$100.00 exclusive of interest, to wit: for the sum of \$ *100.00* due by *Note* and then
and there make return of this Warrant. Given under my hand the *15* of *Sept* 1884

George Holliday, J. P.

Alpha Parrott Adm of D C Parrott Dec } 20th day of *September* 1884
Against } In debt
Mattison Simms } At *my office* in said County
Judgment that the Plaintiff recover of the Defendant \$ *100.00* with interest from the *1st* day of *May* 1884
till paid, and \$ *1.00* for costs.

George Holliday, J. P.

VIRGINIA--Lee County, to wit: To *A Edmonson*, Constable of said County:

I command you, in the name of the Commonwealth of Virginia, that of the Goods and Chattels of *Mattison*
Simms in your County, you cause to be made the sum of \$ *100.00* with interest thereon
from the *1st* day of *May* 1884, till paid, which *Alpha Parrott Adm of D C Parrott Dec* has
recovered before *me* in a Warrant in Debt, and also the sum of \$ *1.00* which
was adjudged to the said *Alpha Parrott* for costs in prosecuting said Warrant.

Given under my hand this the *20th* day of *September* 1884.

George Holliday, J. P.

A. Farnett

vs

Mat Sims

Executed by

A. Edmanson

Sept 20 1884

no property

found

A. Edmanson

(B)

VIRGINIA---Lee County, to wit:

To *A. Edmonson*, Constable of said County:

I Hereby Command You to Summon *Mat Sims*
if to be found in your District, to appear at the *Office* of *George Holliday* in said
County, on the *20* day of *Sept* 1884, before me or such other Justice of said County as may then be
there to try this Warrant, to answer the complaint of *Alpha Parrott ad of D. C. Parrott Dec*
money not exceeding \$100.00 exclusive of interest, to wit: for the sum of \$ *25* due by *Note* and then
and there make return of this Warrant. Given under my hand the *17* of *Sept* 1884

W. H. Holliday, J. P.

Alpha Parrott, Adm of D. C. Parrott Dec
Against

Mattison Simms

Judgment that the Plaintiff recover of the Defendant \$ *25* with interest from the *2nd* day of *May* 1884
till paid, and \$ *1.00* for costs.

George Holliday, J. P.

VIRGINIA---Lee County, to wit: To *A. Edmonson*, Constable of said County:

I command you, in the name of the Commonwealth of Virginia, that of the Goods and Chattels of *Mattison*
Simms in your County, you cause to be made the sum of \$ *25* with interest thereon
from the *2nd* day of *May* 1884, till paid, which *Alpha Parrott adm of D. C. Parrott Dec* has
recovered before *me* in a Warrant in Debt, and also the sum of \$ *1.00* which
was adjudged to the said *Alpha Parrott* for costs in prosecuting said Warrant.

Given under my hand this the *20th* day of *September* 1884.

George Holliday, J. P.

A. Harroff
as
Mat Sims
executed by
A. Edmonson
Sept 20. 1884

no property
found
A. Edmonson

(C)

This deed made this the 5th day of August
 1881. between William Sims of the first part
 and Madine Sims Colon, of the second
 part, all of Lee County Virginia. It is intended
 that the party of the first part, in and
 in consideration of the natural love and
 affection, which the party of the first part,
 bears towards the party of the second part,
 and the valuable services rendered by the
 party of the second part, to the party of the
 first part in his old age. As the party of
 the first doth doth by these presents, grant
 bargain, sell and convey unto the party of
 the second part. The following tract
 or parcels of land situate in Lee County Virgin-
 ia. On the waters of Powell's River, some 7 or
 8 miles south west from the Court House the
 first being the place where the said party
 of the first part, resides, and known as his
 home place, containing 100 acres be the same
 more or less, to a more particular description
 of which reference is here made to the
 title papers of the party of the first part,
 now of record in the clerk's office of Lee
 County Virginia. The second being the undi-
 vided half of a tract or parcel of land
 granted to the said ^{now} Sims party of the first
 part, and Alexander having by patent

Survey state August 30th 1845. And which
is bounded as follows Viz: Beginning at
a red oak & hit oak corner to a 165th line
survey made for John Matlock and with line
thence N 45° E 80 poles to a pine & three cedars
thence N 12° W 120 poles to a red oak S 78° W 88 poles to pine
thence S 8° E 50 poles crossing Cox's Creek to three
cedars on the east side of said creek and
Matlock. Beginning corner thence with line
thence S 22° W 120 poles to two walnut saplings. Va black
oak corner to an 810th line survey of William Jennings
and with his line N 50° E 85 poles to three small
white oaks on a cedar cliff. thence S 15° E 120 poles
to a post oak on high ground S 30° W 60 poles to a
hickory small walnut & cedar S 14° W 200 poles to
a double cedar & double walnut S 14° W 32 poles
to two cedars near the head of a hollow thence
S 4° poles to a double cedar small red oak, black
walnut & two cedars S 55° W 38 poles to a red oak
& four cedars S 64° W 60 poles to two post oaks corner
of Benac Ely line. thence S 36° W 26 poles to the
beginning. Containing by estimation 375 acres
be the same more or less the one undivided half
whereof is hereby conveyed. Also a certain parcel
of land bounded by the party of the first part
from Charles Curing and which is properly descri-
bed on a partition of the lands of Robert Curing
father of the said Charles to which said partition

18
reference is here made as well as to the deed
of the said Charles to the party of the first part
containing about 6 1/2 acres be the same more or
less. Also a certain lot of land assigned the
party of the first part in the partition of the
estate of Robert Sims deceased, containing about
20 acres be the same more or less and to which
said partition reference is here made from
specific matter and bounds.

To have and to hold therein several tracts or
parcels of land to him the said Madison Sims
Colonel, and his heirs forever with the fol-
lowing exceptions. The said party of the first
part by these presents reserve and retain
perfect complete and full control of all the land
hereby conveyed, the rents & profits of the same
for and during the natural life of him the
said William Sims free from the entry or per-
secution of him the said Madison Sims Colonel.
for the time aforesaid off the natural life
of him the said William Sims. And the party
of the first part covenants that he will ever
want generally with him the said
the lands hereby conveyed. Witness the fol-
lowing signatures & seals this 29th day of
year first above written.

Written by me and
and carefully read over

M. Sims Seal

to Mr. [unclear] and he assigned
the same in my presence
August 5th 1887.

A. L. Pridemore

Virginia Lee county court clerk's office Sept 2nd 1887

The foregoing deed bearing date August 5th 1887 from Wm Sims of the first part, to Madison Sims of the second part, both of Lee County Virginia, was this day acknowledged before me in my office aforesaid, by the said Wm Sims to be his act and deed for the purposes therein mentioned and said deed is admitted to record.

Teste John R. Gibson

Deputy Teste John R. Gibson clerk

Madison Sims.
Wm Sims of Lee.
William Sims.

Recorded in Lee Va.

Dec. 17. P. 478.

J. R. Gibson. clerk.

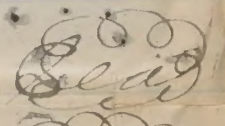
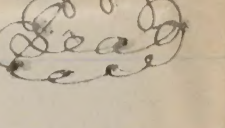
(L.)

Dec for this copy 85¢

Know all men by these presents
that we Henry J. Morgan and
James Morgan are held and
firmly bound unto the Common-
wealth of Virginia, in the just and
full sum of \$500.00 — Dollars
for the true payment thereof unto
the said Commonwealth, we hereby
bind ourselves heirs &c and we
hereby as to this bond waive our
Homestead exemptions, witness
our hands and seals this the
1st June 1880.

The condition of the above oblig-
ation is such that whereas the above
bound Henry J. Morgan, was appointed
by Lee County Circuit Court, a Commissioner
in the Chancery Cause of Alpha Parrott
and Wright Stickley, vs Mat. Simstad
and therein directed to make sale of
certain lands mentioned in said
Bill, Now therefore should the
said H. J. Morgan faithfully perform
the duties of such Comr. as set
out in said decree & well and truly

account for any funds which
may come to his hands as
such Commissioner, then
this obligation to be void
otherwise to remain in full force
and virtue.

Henry J. Morgan 
J. D. Morgan 

Alpha Parrott and
Wright Stickley
vs Bond of Am.
Matson Linn

Filed June 1st 1885
J. A. G. Apples

The Commonwealth of Virginia,

To the Sheriff of Lee County--Greeting:

WE COMMAND YOU to summon

Madison Sims

to appear at the Clerk's office of the Circuit Court of Lee County, at the Court House, on the first Monday in

February

next, being Rule Day, to answer a Bill in Chancery exhibited in our Court against

him, by

Sepha Parrott admr with the will
annexed of Dewitt C. Parrott decd

And have then and there this Writ. Witness, J. A. G. HYATT, Clerk of our said Court, at the Court House,
this *26th* day of *January*, 188*5*, in the 10*9* year of the Commonwealth.

J. A. G. Hyatt, Clerk.

A Copy---Teste:

(H. J. M.)

Alpha Parrott Adm't R
no 33 Spain Chcy
Madison Sins

To February Rules 1885

Executed by delivering
an office copy of this
Spa. to Madison Sins
on 30 day of January 1885.

S. H. Ewing
Deputy for R. D. Flanagan S. L. C.